

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**PRESQRIBER, LLC,**

Plaintiff,

v.

**COMPUTER PROGRAMS AND  
SYSTEMS, INC.,**

Defendant.

Case No. 6:14-cv-445

**PATENT CASE**

**JURY TRIAL DEMANDED**

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**PLAINTIFF PRESQRIBER, LLC'S ANSWER TO COUNTERCLAIMS  
OF DEFENDANT COMPUTER PROGRAMS AND SYSTEMS, INC.**

Presqriber, LLC (“Plaintiff” or “Presqriber”) files this Answer to the Counterclaims asserted against Presqriber by Defendant Computer Programs and Systems, Inc. (“Defendant” or “CPSI”). Any allegation or defense not expressly admitted herein is denied.

**ANSWER TO COUNTERCLAIMS**

Plaintiff admits that Defendant purports to assert counterclaims against Plaintiff.

**Answer to First Counterclaim  
Declaratory Judgment of Non-Infringement of U.S. Patent No. 5,758,095**

36. In response to Defendant incorporating and re-alleging Paragraphs 1 through 35 of its Answer and each of its Affirmative Defenses, Plaintiff denies that Defendant is entitled to any relief requested in its Answer and Affirmative Defenses, and incorporates by reference Paragraphs 1 through 20 of its Complaint.

37. Plaintiff admits the allegations of paragraph 37.

38. Plaintiff denies the allegations of paragraph 38.

39. Plaintiff admits that an actual controversy exists between the parties, otherwise denied.

40. Plaintiff denies the allegations of paragraph 40.

41. Plaintiff admits that this Court has subject matter jurisdiction over this matter.

**Answer to Second Counterclaim**  
**Declaratory Judgment of Invalidity of U.S. Patent No. 5,758,095**

42. In response to Defendant incorporating and re-alleging Paragraphs 1 through 41 of its Answer, Affirmative Defenses and Counterclaims, Plaintiff denies that Defendant is entitled to any relief requested in its Answer and Affirmative Defenses, and incorporates by reference Paragraphs 1 through 20 of its Complaint and paragraphs 36 through 41 above.

43. Plaintiff admits that the '095 patent is valid, otherwise denied.

44. Plaintiff admits that an actual and justiciable controversy exists between the parties, otherwise denied.

45. Plaintiff denies the allegations of paragraph 45.

46. Plaintiff admits that this Court has subject matter jurisdiction over this matter.

**JURY TRIAL DEMAND**

47. Defendant's Jury Demand is an averment to which no responsive pleading is required. Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of all issues so triable by right.

**ANSWER TO PRAYER FOR RELIEF**

48. Plaintiff denies that Defendant is entitled to relief of any kind on its Counterclaims.

**JURY TRIAL DEMAND**

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of all issues so triable by right.

WHEREFORE, Plaintiff prays for the relief set forth in its Complaint and that Defendant's Counterclaims, and all relief requested by Defendant, be denied.

Dated: July 31, 2014

Respectfully submitted,

/s/ Craig Tadlock  
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*Attorneys for Plaintiff Presqriber, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 31st day of July, 2014.

/s/ Craig Tadlock  
Craig Tadlock